

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Large Entity)

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

Docket No.

10441Z

☒ **DUPLICATE** (Check box if applicable)

First Named Inventor

Examiner

Group/Art Unit

Nicholas K. Hayward, et al.

C. Saoud

1647

Address to:

Assistant Commissioner for Patents

Box CPA

Washington, D.C. 20231

This is a request for filing a ☒ continuation, or ☐ divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number 09/349,954 filed on July 8, 1999

and entitled:

A NOVEL GROWTH FACTOR AND A GENETIC SEQUENCE ENCODING SAME

RECEIVED

APR 09 2001

TECH CENTER 1600/2900

1. ☐ Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed.
3. ☐ This application is being filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
 - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:

- b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

4. ☐ A new power of attorney or authorization of agent is enclosed.

5. ☐ An Information Disclosure Statement (IDS) is enclosed:

- a. ☐ PTO-1449

- b. ☐ Copies of IDS Citations

6. ☐ The fee for this application is calculated as follows:

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	7	- 20 =	0	x \$18.00	\$0.00
Indep. Claims	2	- 3 =	0	x \$80.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
04/09/2001 GTEFFERA 00000075 09349954					BASIC FEE
01 FC:131					\$710.00
710.00 OP					TOTAL FILING FEE
					\$710.00

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Large Entity)
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7. ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees to
Deposit Account No. **19-1013/SSMP**

- ☒ fees required under 37 C.F.R. 1.16.
- ☒ fees required under 37 C.F.R. 1.17.
- ☐ fees required under 37 C.F.R. 1.18.

8. ☒ A check in the amount of **\$710.00** is enclosed.

9. ☐ Also enclosed:

10. ☐ The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below:

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Large Entity)
(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

NOTES

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FILING QUALIFICATIONS: The prior application must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 USC 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. 1.53(d), but must be filed under 37 C.F.R. 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the Applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or application in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. 1.78(a).

Dated: April 4, 2001


Signature

Frank S. DiGiglio

Typed or printed name

31,346

Registration Number (if applicable)

- ☐ Inventor(s)
☐ Assignee of complete interest
☒ Attorney or agent of record

cc:

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Nicholas K. Hayward, et al.

Docket No.

10441Z

Serial No.

09/349,954

Filing Date

July 8, 1999

Examiner

C. Saoud

Group Art Unit

1647

Invention: A NOVEL GROWTH FACTOR AND A GENETIC SEQUENCE ENCODING SAME



I hereby certify that the following correspondence:

New Patent Application (CPA)

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231

April 4, 2001

(Date)

Mishelle Mustafa

(Typed or Printed Name of Person Mailing Correspondence)

(Signature of Person Mailing Correspondence)

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4-10-01
PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Nicholas K. Hayward, et al.

Examiner: C. Saoud

Serial No.: 09/349,954

Art Unit: 1647

Filing Date: July 8, 1999

Docket: 10441Z

For: A NOVEL GROWTH FACTOR AND A
GENETIC SEQUENCE ENCODING SAME

Date: April 4, 2001

Assistant Commissioner for Patents
Washington, DC 20231

PRELIMINARY AMENDMENT

Sir:

Prior to examination, please amend the above-identified patent application as follows:

IN THE CLAIMS:

☒ **Please amend Claims 26, 43 and 44 as follows:**

DI
26. (Twice Amended) An isolated nucleic acid encoding or complementary to a nucleic acid which encodes a polypeptide comprising SEQ ID NO:6.

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" mailing label number: EL835917695US

Date of Deposit: April 4, 2001

I hereby certify that this New Patent Application and Fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, DC 20231.

Dated: April 4, 2001


Mishelle Mustafa